IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

INCOME TAX APPEAL NO.79 OF 2003

The Commissioner of Income Tax,
Mumbai City XXI, Mumbai. ... Appellant

v/s.

Mr.Premji Lalji Gala ... Respondent

Mr.R.Asokan i/by Mr.K.B.Rao for appellant.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 17th September, 2004

P.C.

Heard.

2. The issue raised in this appeal is answered by the Division Bench judgment of this court in Cadell Weaving Mill Co.P.Ltd. v. Commissioner of Income Tax & anr., 249 ITR 265. However, the learned counsel for the revenue submits that the said judgment is under challenge before the Supreme Court. Even if that be so, in so far as we are concerned, the controversy stands concluded by the Division Bench judgment of this court.

3. No substantial question of law arises. Appeal is dismissed in limine.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)